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TESTIMONY OF CHRISTINE PERRA RAPILLO
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JUDICIARY COMMITTEE
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AAC THE TRANSFER OF JUVENILE SERVICES FROM THE DEPARTMENT OF CHILDREN AND FAMILIES TO THE COURT SUPPORT SERVICES DIVISION OF THE JUDICIAL BRANCH

The Office of the Chief Public Defender (OCPD) supports the goal of Governor's Bill No. 5041 -TRANSFER OF JUVENILE SERVICES FROM THE DEPARTMENT OF CHILDREN AND FAMILIES TO THE COURT SUPPORT SERVICES DIVISION OF THE JUDICIAL BRANCH in its effort to further clarify the respective roles of the Department of Children and Families (DCF) and the Court Support Services Division (CSSD) following the transfer of juvenile justice services pursuant to PA 17-2 (June Special Session). However, we would also note that there is additional language that will need to be added to further refine this transfer process and the legal rights and responsibilities of the impacted juvenile justice population.

As this committee is aware, PA17-2 (June Special Session) provides, in part, that effective July 1, 2018, adjudicated delinquent children can no longer be committed to DCF as a result of that adjudication and, instead, can be placed on probation with CSSD, which could include a period of placement in a secure, limited secure or nonsecure residential facility. Although this legislation also provided additional language regarding the expansion of services by CSSD to serve this population moving forward, the language was silent on which agency would be responsible for those delinquent children committed to DCF *prior* to July 1, 2018 but whose existing commitments would extend beyond that transfer date.

Accordingly, Governor's Bill No. 5041 attempts to clarify that issue in Section 2 by stating that CSSD shall assume all legal authority and responsibility in lieu of DCF for this population of adjudicated delinquent children whose current commitments to DCF extend beyond July 1,

2018. It further states as currently written that CSSD shall exercise such powers, duties and functions regarding this population as was previously exercised or conducted by DCF.

While this language provides a helpful clarification, it does not address the legal process by which these previously-committed delinquent children would be formally "transferred" to CSSD and placed on probation orders by the court after July 1, 2018. Accordingly, OCPD, the Judicial Branch, OPM, DCF, the Office of the Chief States Attorney (OCSA) and others have been collectively working on some amended language to this bill which will provide this necessary framework. In short, the language will specify that all committed delinquent children will be deemed to be on probation supervision with CSSD as of July 1, 2018 under interim conditions of probation supervision and will have an in-court review no later than October 1, 2018. The purpose of this in-court review will be, in part, to review and modify these interim conditions, if warranted, and issue them as orders of the court.

It's also important to note that along with this language, the Judicial Branch, OCPD and OCSA are also working on a separate bill that will further address the additional processes and procedures that will be required moving forward for all children adjudicated as delinquent and placed on probation *after* July 1, 2018.

The OCPD appreciates this Committee's interest in promoting the goals of the juvenile justice system during this transfer process and beyond, and we look forward to continue working with you and others toward that end.